IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 2ND NOVEMBER 2007 / 11TH KARTHIKA 1929

WP(C).No. 32110 of 2007(V)

PETITIONER:

KARTHIYAYANI, W/O. VELAYUDHAN,
VADAKKAN ALIAS PANDARATHIL (H),KAROOPPADANNA DESOM
MUKUNDAPURAM TALUK, TRICHUR DISTRICT.

BY ADV. SMT.E.V.MOLY

RESPONDENTS:
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1. THE JOINT REGISTRAR (GENERAL),
OFFICE OF THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, TRICHUR.

2. THE TRICHUR DISTRICT CO-OPERATIVE
BANK LTD., KURUPPAM RAOD, TRICHUR, REPRESENTED BY THE SECRETARY.

3. SPECIAL SALE OFFICER,
TRICHUR DISTRICT CO-OPERATIVE BANK, OFFICE OF THE ASST. REGISTRAR OF CO-OPERATIVE SOCIETIES,TRICHUR.

BY ADV. SRI.V.G.ARUN,SC,THRISSUR DIST.CO-OP BANK
SRI.T.R.HARIKUMAR,SC,THRISSUR DIST.CO.OP,BANK
GOVT. PLEADER SMT.ANU SIVARAMAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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W.P.(C).No. 32110 OF 2007

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Dated this the 2nd day of November, 2007

JUDGMENT

Petitioner availed a loan. It is not repaid. Ext.P1 is the sale notice. Petitioner challenges the same. Petitioner has submitted Ext.P2. She seeks a direction to the respondents to consider Ext.P2 and to give an account statement of the loan transaction to the petitioner.

2. I heard the learned counsel for the second respondent. Learned counsel for the respondent-Bank submits that petitioner is not entitled to OTS because the interest has not exceeded twice the principal. He further submits that Bank is amenable to the petitioner paying the entire amount due in 6 equal monthly instalments.

The writ petition is disposed of permitting the petitioner to pay off the entire amount remaining to be paid with due interest in six equal monthly instalments, the first of which shall be payable on or before 05/12/2007. Petitioner is to pay the succeeding instalments on or before the 5th of every succeeding months. The 2nd respondent will serve a statement on the petitioner showing the amount remaining to be paid and also the amount of instalments to be paid on the basis

that the amount is to be paid in 6 equal monthly instalments, within two weeks from today. If the petitioner does not pay any of the instalments as aforesaid, it is open to the 2nd respondent to proceed against the petitioner in accordance with law.

(K.M.JOSEPH, JUDGE)

sv.

(K.M.JOSEPH, JUDGE)

sv.